

**BOARD OF SELECTMEN
MEETING MINUTES
April 7, 2003**

PRESENT: THOMAS C. REYNOLDS JR, CHAIRMAN; DOUGLAS R. COOK, Co CHAIRMAN, BRIAN MCDONALD, SELECTMAN; LEON G. METHOT, SELECTMAN; LAURA PETRAIN, SELECTMAN.

GUEST: Matt Pelletier, Evelyn M. Connor, Frank Campana, Rod Wilson, Gary Chicoine, Kelly Lineberry, Jack Moody, Frank Bolton, Chuck Metcalf, Gene Bilodeau, Donald Burke, Stephen Abbott, Carl Knapp, Steve Burnell, Kelly Bumpus.

The Selectmen's Meeting was held at the Town Office Building. Chairman Reynolds commenced the meeting at 6:30 p.m.

Chairman Reynolds asked that everyone stand for the pledge of allegiance.

1. PUBLIC PARTICIPATION

Evelyn M. Connor – Ms. Connor wanted to inform public that there will be rabies clinic on Wednesday, April 9, 2003 from 6:00 p.m. to 7:00 p.m. at the cost of \$9.00. Ms. Connor also asked the Board of Selectmen if there is an emergency management plan currently in place? Stated that they should have plan in place for fire drills and feels they should be thinking about town security. Chairman Reynolds stated that the Police Chief is currently working on an emergency management plan and is making up packets and will notify them of drills.

Chuck Bolton – Mr. Bolton requested the Board of Selectmen consult town attorney regarding the Finance Committee's new responsibilities concerning the John Stark budget. Feels it would be wise to iron out any possible issues that may arise before budget season. Mr. Bolton also stated that going forward, the Selectmen's budget should be updated regularly. Stated that at a Finance Committee meeting the bottom line was correct, but small changes to the budget had not been updated. Next Mr. Bolton stated that he has been reading several articles from surrounding towns regarding conservation issues. Stated he feels that land conservation and growth management go hand in hand. Stated that he has faith that this board will address these issues. Selectman Cook asked Mr. Bolton his thoughts on the failing votes for growth management, and low votes for update of the master plan? Mr. Bolton stated that he feels that petition articles immediately offend the boards that they concern,

and also that the public may not like the sound of growth control. Selectman Cook agreed the phase growth management is more accurate and sounds better than the term growth control. Selectman Methot stated that the Planning Board is planning an open forum sometime in May concerning these issues.

Frank Campana – Mr. Campana stated that he heard the Police Chief state that he has not received a raise since coming to Weare. Stated he heard this three times. Stated that in 2001 the annual income of the Police Chief was \$60,500.00. In 2002, it was \$62,500.00. Mr. Campana asked the board why the increase of \$2,000.00 if there was no raise involved? Selectman Cook stated that was a one time bonus. Mr. Campana then asked board how it goes about deciding on bonuses? Chairman Reynolds stated that due to money left over at the end of the year, the board decided that some department heads that had not received raises would receive bonuses based on performance. Selectman McDonald stated that he did not feel that many of the pay scales were just, when considering job duties. Mr. Campana then asked where he can obtain information regarding bonuses given? Chairman Reynolds responded this is public information, and Mr. Campana can contact Ms. Elayne Pierson.

2. SAFETY COMPLEX

Chairman Reynolds stated that the contract for the Safety Complex has come back from the town attorney with a few suggested corrections. Stated that one recommendation from the attorney was regarding the completion time of 180 days. Stated that the attorney suggested a penalty for everyday over time frame. Board discussed this issue and felt this would not be necessary. Selectman Cook stated that if the board had a deadline they had to meet then this would come in to play, but this is not the case. Chairman Reynolds then addressed article 13-1 of the contract, providing contractor with full payment if terminated by the owner. Mr. Chicoine stated he has never come across this situation. Stated that there is a 10% retainage each month, so that the rec. each month will be 10% less then what is actually earned throughout the project. Stated that this would more than cover any money that would have to be expended after the fact. Ms. Lineberry stated that when a rec. is submitted monthly, it only pays for work that has been completed. Selectman McDonald stated that it needs to go into public record that they are concerned about making sure that they are not paying for work that is not performed. Chairman Reynolds stated that article 16 of the contract is the next issue. Performance and payment bond should be delivered to the owner prior to the commencement date obtained at the contractor's expense, furthermore the insurance provisions attached therefore should be made part of the contract. Stated that the attorney listed insurance provisions. Ms. Lineberry stated that they do not order a payment bond until they have a signed contract, so they will just make it an appendix to the contract. Chairman Reynolds agreed this was

acceptable. Chairman Reynolds stated that is all for legal wording. Stated they would start with Selectman Methot's concerns regarding the content of the contract. Selectman Methot started by stating he does not feel this is the building he is looking for. Stated there are corners being cut that he feels will be serious issues down the road. Stated he is concerned with the mechanical portion of the complex. Stated there is \$100,000.00 difference between the recommended contractor and the next bidder. Stated that this is due to reengineering. Stated that the whole purpose of hiring an architect to design the building to the way they want it done is the way they want it built. If it means they need to get some more money somehow then that's what they will need to do. Stated that the issue is with radiant heat. Mr. Chicoine stated that it is not working as well as it should with fire stations. Selectman Cook agreed and stated he spoke with Nashua and just radiant heat is not enough once fire trucks go out on a cold day. Selectman Methot stated that the new redesigned systems are working. Selectman Methot then expressed concern regarding the exhaust system. Ms. Lineberry stated that the individuals that proposed the exhaust system met with the Fire Chief and built the system based on that meeting. Selectman Methot then asked who is providing the services provided for under general conditions. Mr. Chicoine stated that his company will provide these services. Selectman Methot stated that they will be paying them \$210,00.00 for these services. Mr. Chicoine stated that they would be paying these costs regardless of the method of construction. Selectman Methot asked why they will be paying \$71,000.00 in addition to these costs. Mr. Chicoine stated that this is their profit. Selectman Methot stated that he is not pleased with the electrical and security portions of the contract. Stated they only supplied one contractor for this. Stated that the quote only provides for the wire to the wall jacks. Asked who is going to provide electrical for the computer side which is an expense. Mr. Chicoine stated that they have never supplied that end of the work and do not know what the needs are going to be. Selectman Methot stated that the security surveillance does not fit the needs of the department. Mr. Chicoine stated that they did it according to plans and specs. Stated that this is something they can discuss and will need guidance on that end. Selectman Cook asked Mr. Burnell if this was discussed. Mr. Burnell stated that they went with the same system they put in for Auburn and never specifically discussed it. Chief Rigney stated that they will need cameras that are tamper resistant. Selectman Methot stated that the amount of the planned system is about a third of the cost of what will be needed. Selectman Methot stated he knows that they tried to fit the building to the dollar amount, and feels that is the wrong approach. Stated that the building should be built according to the plans and needs they originally had in mind and, not the 1.1 million dollars allotted. Mr. Chicoine stated that they were on a budget, and spent many hours getting the building to fit that budget. Chairman Reynolds informed Selectman Methot that the board gave Mr. Chicoine specific instructions that they needed to come within the budget. Selectman Cook stated that when they started this two years ago, they got together

with the Chief in Auburn and felt that their building was what they were looking for and within their budget. Stated he does not think they are skimping on this project. Stated he is not going to be the one to go back and ask the taxpayers for another \$500,000.00 or \$200,000.00 because Selectman Methot thinks radiant heat is in the best interest of the building. Stated he disagrees. Stated that this is the way the board went with this project, and for Selectman Methot to come in at this juncture and say it should not have been done this way is too late, it's already done. Selectman Methot stated that he has been involved in enough large scale projects where value engineering is used and regret it now. Mr. Burnell stated that this budget is over two years old and they have still come within the budget while maintaining quality. Stated that the security system in Auburn was not included in their budget and is included in this one. Stated they will not put something in that the town will regret. Selectman Cook stated that there may also be savings by using the highway department that can be put towards other things. Selectman Petrain asked if it is standard to list performance bonds and liability insurance? Ms. Lineberry stated that this is a cost that is directly put forth to the owner. Selectman McDonald asked if there is anything at all that they know they will need, and have not included? Mr. Chicoine stated that hitting water or ledge is the only things he can think of that would possibly come up. Selectman McDonald asked what happens in the case of disputed work such as location of outlets or such? Mr. Burnell stated they will have to have the chiefs walk through the building and make sure they have everything they want. Mr. Chicoine stated they always have a walk-through before the walls are up and then another one when the walls are in. Selectman McDonald asked if there is any idea of the savings involved with using the highway department? Ms. Lineberry stated she is not sure right now, but thinks around \$8000.00. Mr. Chicoine stated that there are other areas for possible savings, such as painting. Selectman McDonald requested Mr. Burnell speak with Chief Rigney regarding the evidence room. Mr. Burnell agreed. Selectman McDonald made motion to authorize Chairman of the Board to sign contract for Safety Complex. Seconded by Chairman Reynolds. Selectman Petrain stated that although she thinks this is an excellent package and realizes how much work was put into it, she believes the process should have went out to bid. A vote was taken. Motion passed 3 in favor, 2 opposed.

Selectman Methot stated that depending on the electrical cost, he may consider doing the work with no labor cost to the town. Mr. Burnell asked if it would be prudent to have the electrical done by the company supplying the wire? Selectman Methot stated he went to school for this, and they may be better off down the road if he were to provide the service. Also stated that he may offer to do the security system. Ms. Lineberry asked the board if she should add Selectman Cook into the contract as overseer. Selectman McDonald made motion to nominate Selectman Cook liaison to the Safety Complex. Seconded by Chairman Reynolds. A vote was taken. Motion passed 4 in favor, 1 abstention.

3. JACK MOODY - Upgrading Road from Class VI to Class V.

Mr. Moody stated that he purchased land a couple of years ago and the previous owner requested an upgrade for a portion of Forrest Road from class VI to class V. Stated he come to inform board he intends to continue with the upgrade. Board discussed to what standards the road should be done. Selectman Methot stated that if the road is brought up to class V standards, it still remains a class VI road. Stated there is a process to upgrade the road and town needs to reclassify the road in order to subdivide any property. Chairman Reynolds stated that the board is not sure what the standard was in 1997 when the request was first brought before the board. Stated they will need that information before they proceed any futher.

4. MIKE MANNA – Conservation Commission Matters.

Mr. Manna stated he had come before the board to make sure the board is aware of Conservation Commission Matters. Mr. Manna stated that he will be the liason to the Board of Selectmen in an attempt to keep communication open. Stated that the commission is currently working on a mission statement that will be available to the public to clarify the commission's role. Also stated that their meetings are open to the public, and they are always seeking new members and volunteers. Mr. Manna went on to state that he would like to address the misconception that the Conservation Commission is comprised of activists that are standing in the way of all development in the town. Stated that the commission is comprised of members of various backgrounds and levels of interest of environmental matters. Mr. Manna then requested a copy of the tax map on disc. Chairman Reynolds stated he would check into this. Mr. Manna then stated that the Conservation Commission is currently exploring the possibility of purchasing the Woods Family land. Stated that this would provide both environmental and recreational purposes. Selectman Cook stated that he is in support of the Woods property. Also stated that he hopes that there will be no restrictions put on the property. Mr. Manna responded by stating that there will be no restrictions, that he would not support it if that was the case. Also, if the commission receives a grant to purchase the property then it will have to stay open to the public. Board thanked Mr. Manna for is update.

5. PUBLIC WORKS – Bid Opening

Chairman Reynolds opened bids for gravel crushing. Stated that all bids were sealed, and all were stamped with the date of April 7, 2003 or before.

- Merrel Construction Inc. Cost per ton, \$3.95 for a minimum of 10,000 tons. Crushed gravel, \$8.50 per cubic yard to be picked up in Dunbarton.
- Custom Crushing Co. \$2.90 per ton.
- C.J. Bolton. \$3.10 per ton for 10,000 tons, \$3.00 per ton for 20,000 tons, and \$2.90 per ton for 30,000 tons. Mobilization fee of \$2,500.00. 1' crushed gravel, \$6.00 per yard. 1 ½ crushed gravel, \$7.00 per yard.
- Henniker Sand and Gravel Co. 1 ½ crushed gravel, \$5.00 per ton. Portable crusher, \$4.00 per yard.
- United Construction Corp. \$3.55 per ton.

Chairman Reynolds then opened bids for reclamation.

- Continental Paving Inc. Dated April 7, 2003 at 9:20 a.m. 95 cents per square yard.
- Pike Industries. Dated April 7, 2003 at 9:40 a.m. 58 cents per square yard.
- Witcomb Construction. Dated April 7, 2003 at 9:45 a.m. 74 cents per square yard.
- All State Asphalt. Dated April 7, 2003 at 9:15 a.m. 69 cents per square yard with a total price of \$13,110.00.
- JGE Enterprises. Dated April 7, 2003 at 8:30 a.m. 66 cents per square yard.
- Garrity Asphalt. Dated April 3, 2003 at 11:15 a.m. 59 cents per square yard.
- Warren Brothers Inc. Dated April 4, 2003 at 11:20 a.m. 59 cents per square yard.

Chairman Reynolds opened bids for paving.

- Witcomb Construction. Dated April 7, 2003 at 9:45 a.m. Approximately \$35.79 per ton.
- Pike Industries. Dated April 7, 2003 at 9:40 a.m. \$35.00 per ton.
- Continental Paving. Dated April 7, 2003 at 9:20 a.m. \$38.00 per ton
- United Construction Corp. Dated April 4, 2003 at 2:00 p.m. \$32.00 per ton.
- Rocks Industries. Dated April 7, 2003 at 10:00 a.m. \$36.65 per ton.

---POWER OUTAGE---

Board of Selectmen signed manifests for checks for the week of April 7, 2003. Accounts Payable - \$214,900.80. Gross Payrolls - \$27,209.10. For a total of \$242,109.90. One voided check in the amount of \$219.98.

6. ADJOURNMENT

Board of Selectmen
April 7, 2003
Page 7

Board of Selectmen adjourned due to power outage.

A True Record

Kelly Bumpus, Recording Secretary